Appl. No.: 10/617,468 Patent Art Unit: 1617 17549 (AP)

Reply to Office Action of 09/01/2009

Amendments to the Specification:

Please amend Paragraph [0027] as follows:

[0027] In cases where a relevant receptor assay is not known, or where it is known that there is no relevant receptor, a suitable functional assay is used. The functional assay used should be accepted in the art to be relevant to the condition or disease being treated or prevented. The functional assay should also be able to distinguish between the prodrug and the active drug, meaning that the two compounds give significantly different results in the assay. For example, while not intending to limit the scope of the invention, in the case of antibiotics, a suitable efficacy test can be used such as the disc diffusion method where the zone of inhibition indicates a ten fold less potency for the prodrug compared to the active drug. In the case of neurotoxins, the mouse potency assay can be used as a measure of potency. Similarly for any other disease or condition and active drug where a receptor-binding assay does not exist or is not relevant, a suitable functional assay is used. In the case that more than one assay is applicable to the disease, the prodrug active drug need only be more than about ten times more active than the active prodrug in one of the assays.